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ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Australia, Austria, Belgium*, Cameroon, Costa Rica, Czech Republic*, Denmark*, Finland, France, Germany, Hungary, Ireland*, Italy, Kenya, Lesotho, Madagascar*, Netherlands, New Zealand*, Norway*, Poland, Russian Federation, Sweden*, Switzerland* and United Kingdom of Great Britain and Northern Ireland: draft resolution

Advisory services and the Voluntary Fund for Technical Cooperation in the Field of Human Rights

The Commission on Human Rights,

Recalling General Assembly resolution 926 (X) of 14 December 1955, in which the Assembly established the United Nations programme of advisory services in the field of human rights, and Economic and Social Council decision 1987/147 of 29 May 1987, pursuant to which the Secretary-General established the Voluntary Fund for Technical Cooperation in the Field of Human Rights, as well as the latest resolution of the Commission on Human Rights on the subject, 1993/87 of 10 March 1993,

Recalling the Vienna Declaration and Programme of Action, in which the World Conference on Human Rights called for an enhanced programme of advisory services highlighting both the traditional fields of technical assistance in

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* In accordance with rule 69, para. 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

the field of human rights and new areas of technical assistance of which Governments may avail themselves, as summarized in paragraphs 12 to 24 of the report of the Secretary-General (E/CN.4/1994/78),

Mindful of the responsibilities of the High Commissioner for Human Rights set out in General Assembly resolution 48/141 of 20 December 1993, in particular that of providing, through the Centre for Human Rights and other appropriate institutions, advisory services and technical assistance, at the request of the State concerned and, where appropriate, the regional human rights organizations, with a view to supporting actions and programmes in the field of human rights, and of coordinating the human rights promotion and protection activities throughout the United Nations system,

Encouraging all States in need of assistance in the field of human rights to consider making use of the advisory services and technical cooperation, being offered on a bilateral, regional or international level, provided by the Centre for Human Rights or other relevant bodies of the United Nations system or by national institutions or non-governmental organizations, in order to achieve the full enjoyment of all human rights,

Emphasizing the importance of the development of assistance in the field of human rights, including through the assignment of human rights field officers, to countries in transition or in reconstruction after situations of armed conflicts or internal disturbances,

Convinced of the need for the Secretary-General and the High Commissioner for Human Rights to intensify efforts to coordinate system-wide advisory services and technical assistance in the field of human rights through flexible and active inter-agency collaboration,

Convinced also of the need for the Centre for Human Rights to assume the functions of focal point and clearing-house for inter-agency coordination with other organizations of the United Nations system,

Reaffirming that within the common context of the comprehensive programme of advisory services and technical cooperation, a clear distinction should be made between technical cooperation projects financed under the Voluntary Fund for Technical Cooperation in the Field of Human Rights and activities under the

regular budget of the United Nations, while at the same time close coordination between these activities should be ensured,

Reaffirming also that the provision of advisory services and technical cooperation activities may be seen as a complement to, but never a substitute for, the monitoring and investigating activities of the human rights programme and that their provision does not in any way reduce a Government's responsibility for accountability on the human rights situation and, whenever applicable, would not exempt it from scrutiny through the various monitoring procedures established by the United Nations,

Convinced that the Centre for Human Rights needs clear criteria and methods of assessment, strict and transparent project management rules, as well as more efficient management and better coordination among existing voluntary funds,

Taking note with appreciation of the report of the Secretary-General on advisory services in the field of human rights, including the Voluntary Fund for Technical Cooperation in the Field of Human Rights (E/CN.4/1994/78),

I. ACTIVITIES UNDER THE REGULAR BUDGET OF THE UNITED NATIONS

1. Reaffirms that the programme of advisory services in the field of human rights should continue to provide, at the request of Governments and with the cooperation of the specialized agencies, where appropriate, assistance in the form of advisory services of experts, fellowships and scholarships, seminars and training courses at a regional and national level, the drafting of basic legal texts in conformity with international conventions on human rights in order to uphold the rule of law and democracy;

2. Invites competent United Nations treaty bodies, Special Rapporteurs and representatives, as well as working groups, to continue to include in their recommendations, whenever appropriate, proposals for specific projects to be realized under the programme of advisory services;

3. Calls upon the Secretary-General to implement all activities under the programme of advisory services on the basis of clearly defined objectives and themes, taking into account the precise needs of the beneficiaries, as well as to follow up and evaluate them;

4. Again requests the Secretary-General to allocate more human and financial resources for the enlargement of advisory services, within existing

overall United Nations resources, in order to meet the substantially increased demand, in particular for the provision of expert services, emanating from the mandates of and recommendations made by the Commission on Human Rights, competent human rights treaty bodies, special representatives and rapporteurs, independent experts and working groups, as well as from requests by Governments;

II. ACTIVITIES UNDER THE VOLUNTARY FUND FOR TECHNICAL COOPERATION IN THE FIELD OF HUMAN RIGHTS

5. Expresses its appreciation to the Secretary-General for the projects realized since the establishment of the Voluntary Fund for Technical Cooperation in the Field of Human Rights and to Governments and non-governmental organizations for their contributions, and invites other Governments and non-governmental organizations to consider contributing;

6. Emphasizes that the objective of the Voluntary Fund is to provide financial support for international cooperation aimed at building up and strengthening national and regional institutions and infrastructures which will have a long-term impact on improved implementation of international conventions and other international standards on human rights;

7. Welcomes the progress in the implementation of the global approach and the policy of the Centre for Human Rights to address specific demands of a requesting Government by carrying out a comprehensive needs assessment and developing an overall programme containing specific projects aiming at strengthening the human rights infrastructure of a country;

8. Underlines the importance of using such comprehensive needs assessment as a basis for cooperation with specialized bodies and other organizations of the United Nations system, as well as other relevant organizations;

9. Requests the Secretary-General, in accordance with part II, paragraph 16 of the Vienna Declaration and Programme of Action, to ensure more efficient management of the Voluntary Fund, strict and transparent project management rules, periodical evaluations of the programme and projects, and the dissemination of evaluation results, as well as arranging for the holding of annual information meetings open to all member States and organizations directly involved in the advisory services and technical cooperation programme;

10. Underlines that any assistance through technical cooperation in the field of human rights under the Voluntary Fund has to be well prepared, and that there should be a regular and sustained follow-up between the involved national bodies and the Centre for Human Rights, to be reflected in the report of the Secretary-General;

11. Welcomes the appointment by the Secretary-General of a board of trustees for the Voluntary Fund for Technical Cooperation;

12. Urges the Board of Trustees to review the existing project guidelines with a view to improving orientation for Governments requesting advisory services, establishing clear criteria for selecting and defining priorities for projects, as well as establishing an efficient and flexible project preparation, implementation and evaluation procedure;

13. Requests the Secretary-General to provide the necessary administrative assistance for the Board, in order to make it possible for it to fulfil its mandate, and to arrange Board meetings such that the report of the Board can be included in the annual report to the Commission on Human Rights on advisory services and technical cooperation;

14. Requests the Secretary-General, in the light of the increasing availability of voluntary contributions, to expand the provision of experienced, professional staff or to avail himself of the services of consultant experts, keeping pace with the increased demand for advisory services;

15. Invites the Centre for Human Rights to give special attention to strengthening the capacity of national and regional institutions to collect and disseminate information on human rights and establish common practices for cooperation with the United Nations in this area;

16. Encourages Governments to cooperate with non-governmental human rights organizations in formulating and implementing programmes under the Voluntary Fund;

III. SYSTEM-WIDE COOPERATION

17. Requests the Secretary-General through the High Commissioner for Human Rights to explore yet further the possibilities offered by cooperation between the Centre for Human Rights, in its role as the coordinating unit in the promotion, protection and implementation of human rights, and specialized bodies

and other organizations of the United Nations system, as well as non-governmental organizations, including arrangements where needs identified by the Centre are met by projects for which such other bodies and organizations take full responsibility for financing and implementation of the project;

18. Encourages in particular the cooperation between the Centre for Human Rights and the United Nations Development Programme, with a view to integrating, with the advice of the Commission on Human Rights, projects for strengthening human rights into the overall United Nations Development Programme country programmes and in order to prepare and execute jointly individual projects benefiting from the opportunities offered by resident representatives of the Programme;

19. Requests the Secretary-General to prepare an inventory and to undertake an analysis of the availability of advisory services and technical cooperation in the field of human rights from all sources, both multilateral and bilateral;

20. Requests the Secretary-General to report annually to the Commission on Human Rights on the progress made in the implementation of the programme of advisory services and technical cooperation in the field of human rights and on the operation and administration of the Voluntary Fund for Technical Cooperation in the Field of Human Rights.